

STATEMENT OF REASONS

TOWN & COUNTRY PLANNING ACT 1990

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

ACQUISITION OF LAND ACT 1981

LONDON BOROUGH OF ENFIELD

(MERIDIAN WATER STRATEGIC INFRASTRUCTURE WORKS)

COMPULSORY PURCHASE ORDER 2019

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1 Introduction

- 1.1 This document is the Statement of Reasons of the Council of the London Borough of Enfield (the **Council**) for making a compulsory purchase order (**CPO**) entitled the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2020 (the **Order**) which is to be submitted to the Secretary of State for Housing Communities and Local Government (the **Secretary of State**) for confirmation. The land included within the Order is referred to as the Order Land which is shown on the plan at Appendix 1 to this Statement (the **Order Map**).
- 1.2 The Council has made the Order pursuant to sections 226(1)(a) and (3)(a) of the Town and Country Planning Act 1990 (the **1990 Act**) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (the **1976 Act**). In this Statement of Reasons, the land included within the Order is referred to as the **Order Land** which is shown on the plan at Appendix 1 to this Statement (the **Order Map**). The Council is the local planning authority and local highway authority for the Order Land.
- 1.3 If confirmed by the Secretary of State, the Order will enable the Council to acquire the Order Land and certain rights over land compulsorily in order to undertake various strategic infrastructure works (**SIW**) described below in connection with the regeneration of the area known as **Meridian Water**. Meridian Water is also referred to in this Statement as the **Scheme**.
- 1.4 This Statement of Reasons has been prepared in compliance with Guidance on Compulsory Purchase and the Crichel Down Rules published by the Ministry of Housing Communities and Local Government (the **Guidance**). It explains why the CPO powers contained in the Order are necessary and why there is a compelling case in the public interest for making the Order, taking into account the Guidance.

2 Location and description of the Order Land

- 2.1 The Order Land is located within the area known as Meridian Water, which is within the Council's administrative area partially within the wards of Lower Edmonton and Edmonton Green. Meridian Water comprises land situated on the west side of the West Anglia Mainline railway previously owned by National Grid and occupied by gas holders, now removed (Zone 1); land to the east of the West Anglia Mainline railway bounded by the North Circular to the north, Leaside Road in the south and the Lee Navigation to the East (which includes the IKEA store, the Tesco store, Orbital Business Park and Zones 2 (part), 4 and 5). It also includes the existing Strategic Industrial Land (**SIL**) to the east of the Lee Navigation (Zones 6 and 7) as well as green belt land between Harbet Road and the River Lee (Zone LV1). Approximately 35 hectares, within Meridian Water are already owned by the Council including Zone 1, Zone 2(part), Zone 4, Zone 5, and large parts of Zones 6 and 7 to the east of the Lee Navigation.
- 2.2 Meridian Water is traversed by three waterways, Pymmes Brook, Salmon's Brooks and the River Lee Navigation, and is bound to the east by the River Lee. To the east Meridian Water adjoins the Lee Valley Regional Park (**LVRP**).
- 2.3 The southern boundary of Meridian Water is also the boundary between the Council's administrative area and the administrative area of the London Borough of Haringey (**LBH**).

To the south of Meridian Water is Leaside Road which is a highway maintainable at the public expense within LBH. The SIW requires works to be carried out on highways within LBH but this work does not form part of the Order.

2.4 The Order Land comprises a total of [XX] plots on which the Council is seeking powers of compulsory acquisition and the compulsory creation of new rights in land. These plots are coloured pink on the Order Map. A description of each plot is set out in the Order Schedule and is more generally described as follows:

2.4.1 Angel Edmonton Road / Leaside Road, public highway and adjoining verge (plots [X]);

2.4.2 Glover Drive, public highway and adjoining verge (plots [X]);

2.4.3 part of IKEA car park (plots [X]);

2.4.4 part of land comprising car park internal roads owned by Tesco and British Steel Pension Fund Trustees (plots [X]);

2.4.5 part of Pymmes Brook and adjoining verge (plots [X]);

2.4.6 former National Grid gasholder site (plots [X]);

2.4.7 former Orbital Business Park (plots [X]);

2.4.8 land adjoining and airspace above part of the River Lee Navigation (plots [X]);

2.4.9 part of Towpath Road, public highway and adjoining verge (plots [X]);

2.4.10 Anthony Way private road (plots [X]);

2.4.11 cleared industrial site on site of part of former Stonehill Business Park (plots [X]);

2.4.12 part of Harbet Road, public highway and adjoining verge (plots [X]);

2.4.13 vehicle parking and waste transfer site east of Harbet Road (plots [X]); and

2.4.14 Green Belt land east of Harbet Road (plots [X]).

2.5 **New Rights**

2.6 In addition to the land included in the Order, new rights are required over other land to undertake the works and allow for future maintenance. The land over which new rights are sought is shown coloured blue on the Order Map.

2.7 A summary of the rights required and why they are needed is set out below:

2.7.1 access needed in order to construct the SIW;

2.7.2 temporary construction roads;

2.7.3 construction compounds;

- 2.7.4 rights to construct/improve/maintain parts of rivers and canals and bridges over them;
- 2.7.5 rights to discharge into watercourses; and
- 2.7.6 crane oversailing.

3 **The Purpose for which the Land is to be Acquired**

- 3.1 The Order Land is required for the construction of the SIW, which is described below. The SIW is necessary to allow for further development at Meridian Water. The Order is needed to secure the necessary land assembly and unification of ownerships, within a reasonable timescale.
- 3.2 A significant part of the Order Land is already in the ownership of the Council and through ongoing negotiation the Council has reached voluntary agreement with other parties whilst seeking to acquire the remaining interests (explained in section 7). In order to deliver the SIW it is essential that all of the remaining third party land interests, including any unknown interests are brought into single ownership and all necessary rights are secured.
- 3.3 The Council has given careful consideration to the need for the land and rights within the Order Land and is satisfied that all of the land and rights included within the Order are necessary and justifiable, as detailed below.
- 3.4 **Meridian Water**
- 3.5 Meridian Water is one of London's most significant regeneration opportunity areas. It comprises approximately 85 hectares of under-used brown field land located in the south east of the borough of Enfield and is one of the largest developable areas in London. The full extent of the Meridian Water regeneration area is identified on the plan at Appendix 2.
- 3.6 The Council aims to regenerate Meridian Water comprehensively over a period of approximately 20-30 years. The Council's adopted and emerging planning policy supports the delivery of 5,000 new homes, 1,500 full time jobs, schools, community facilities, health services and open spaces, within a new character area. Over the full life of development there is an aspiration to deliver up to 10,000 new homes and associated development which would be supported through future planning policy, however, the justification for this Order is based on the 5,000 new homes which are supported by existing planning policy (see section 4 below).
- 3.7 The ambition for Meridian Water is to reshape an area that is currently an industrial and retail site, to provide new homes and to grow and diversify the local economy, creating job opportunities across the salary spectrum. The further development of new and existing economic sectors can unlock economic growth and thousands of new jobs. Meridian Water will be a model for a sustainable piece of city, making the most of the opportunities offered by a new Meridian Water railway station (the **Meridian Water Station**) (potentially incorporating Crossrail 2), and its location in the Upper Lee Valley and Lee Valley Regional Park. It is envisaged that the regeneration will come forward in phases over a 20-30 year period.
- 3.8 Meridian Water has been designated as a housing zone by the Mayor of London and is one the Mayor's regeneration priorities. Its regeneration has been a longstanding

objective of the Council and it is the largest priority area for residential-led mixed-use development in the Council's Core Strategy (November 2010). The regeneration supports the ambitious aims of the Mayor of London's Upper Lee Valley Opportunity Area (the largest opportunity area in London), the Mayor of London's Crossrail 2 Growth Commission report in promoting the route via the Lee Valley as a growth corridor and forms part of a successful bid for Housing Infrastructure Fund (**HIF**) grant funding from Homes England.

- 3.9 Due to the scale of the Meridian Water proposals, the area has been divided into eight development zones which will come forward in phases (which may comprise one or more development zones). The eight development zones (**Zones**) are identified on the plan at Appendix 3.
- 3.10 Phase 1 (part of Zone 1) will provide up to 725 new homes, retail, leisure and community uses, transport and infrastructure improvements, public open space and recreational facilities. The location of Zone 1 is shown on the plan at Appendix 3. The Council granted outline planning permission for the development of Phase 1 on 10 July 2017. Phase 1 included a new Meridian Water Station at Phase 1 which has been constructed. Other development is expected to begin in 2021. Zone 1 also has capacity for further development.
- 3.11 An outline planning application has been submitted and is currently pending determination for development of Zones 2 (part), 4 and 5 comprising up to 2,300 residential units (Class C3), Purpose Built Student Accommodation and/or Large- Scale Purpose-Built Shared Living (Sui Generis); a hotel (Class C1), commercial development (Class B1a,b,c); retail (Class A1 and/or A2 and/or A3 and/or A4), social infrastructure (Class D1 and/or D2), a primary school up to three forms of entry, hard and soft landscaping, new public open spaces including equipped areas for play, sustainable drainage systems, car parking provision, and formation of new pedestrian and vehicular access (all matters reserved) (**Phase 2**). Zones 2(part), 4 and 5 are shown on the plan at Appendix 3 and the Phase 2 masterplan is shown at Appendix 5.
- 3.12 The residential element of Phase 2 will provide much needed affordable housing in an accessible location whilst avoiding unnecessary development on greenfield sites. The development will include significant employment generating capacity, with large areas of commercial and retail floorspace as well as the option to provide a hotel. The proposed development also makes provision for community uses to serve the needs of existing residents and new resident and business communities. A new three-form entry primary school, up to 5,500 sq m of social infrastructure and open spaces will provide some of the social infrastructure needed to begin creating a new community and character area at Meridian Water.
- 3.13 The development of Meridian Water will be implemented in phases. In relation to Phase 1 the Council selected Galliford Try Partnerships as its development partner in June 2019. A development partner will also be selected for the part of Phase 2 comprising Zone 2 (part) (the gasholder site comprising approximately 250 units). For the remainder of Phase 2 and future phases the Council is currently considering delivery options, which are discussed further below.
- 3.14 On 6 September 2016, the Council's Cabinet resolved that it is willing in-principle to use its compulsory purchase powers, if necessary, across the entire Meridian Water area to bring

forward the regeneration. At the time of the in-principle resolution in September 2016, the Council intended to proceed with a single master developer for the whole of Meridian Water and a consortium between Barratt Homes and Segro had been selected as the master developer. In October 2017 the relationship with Barratt/Segro was terminated and other delivery options were considered. Subsequently the Council decided to pursue a different approach and on 25 July 2018 the Council's Cabinet decided for Phases 1 and Zone 2 (part) to work with selected development partners. The approach to future phases is subject to further analysis. Under the new approach, the Council will lead in working up the masterplan and deciding on the optimal phasing of delivery. Despite this change of approach to delivery of Meridian Water, there is no change in the approach to land assembly which will still require the use of CPO powers where land cannot be assembled by agreement.

- 3.15 This is the second CPO made by the Council in connection with the delivery of Meridian Water. On 4 July 2017 the Council made the London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order 2017, following a resolution by the Council's Cabinet to make the CPO on 26 April 2017. That CPO was confirmed by the Council on 12 September 2017 in accordance with section 14A of the Acquisition of Land Act 1981 and a general vesting declaration made on 11 September 2019. This order related to land required to facilitate the development of Zone 1. It may be necessary for the Council to make further CPO's to facilitate later phases of Meridian Water if all the land required for those phases cannot be acquired by private treaty negotiations.
- 3.16 The SIW are required to enable the implementation of Phase 2 and all subsequent phases of Meridian Water.
- 3.17 On 22nd January 2020 the Cabinet resolved to use compulsory purchase powers to acquire the land and delegate authority to Director of Place to make the Order and undertake all associated activities.
- 3.18 Although the Order, if confirmed, will authorise the acquisition of land and rights for the SIW only, for the purposes of the Land Compensation Act 1961, section 6D (as inserted by the Neighbourhood Planning Act 2017, s.32), the **Scheme** is Meridian Water as a whole.
- 3.19 **The Strategic Infrastructure Works (SIW)**
- 3.20 The SIW are an essential element of the Scheme. They are required to enable the delivery of Phase 2 and the subsequent phases of development at Meridian Water. In summary, they comprise the construction of new roads, footpaths, cycleways and bridges, rail improvements, land remediation, new utilities and the diversion of existing utilities, and flood alleviation works. The SIW are shown diagrammatically on the drawing at Appendix 4.
- 3.21 A 'full' planning application has been made and is currently pending determination for the SIW.
- 3.22 The SIW are described below (references in brackets refer to the labelling on the drawing at Appendix 4):
- 3.22.1 **The Central Spine Road (R6 to R3)** - a new tree-lined east-west boulevard connecting to Glover Drive and new Meridian Water Station in the west,

crossing the Pymmes and Salmons Brook and River Lee Navigation to Harbet Road in the east. The erection of bridges and associated works are required to enable the Central Spine Road, comprising the Lee Navigation Bridge, the Pymmes Brook North Bridge and the Salmon's Brook Bridge (shown as B1, B2, and B4 respectively). The Central Spine Road is required in the proposed form and location for the following reasons. Further details are provided in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application:

- (a) The principle of the proposed Central Spine Road is well established in the Council's adopted planning policy (see section 4 below), which specifically identifies the need to provide a new spine running through Meridian Water, linking new and existing communities, to employment and social infrastructure, the Meridian Water Station and the LVRP. By connecting this new rail station to other parts of Meridian Water, public transport accessibility throughout the Meridian Water will be improved.
- (b) The alignment of the Central Spine Road has been designed to maximise the accessibility of Phase 2 and future development to Meridian Water Station (by minimising walking distances) and to create efficient plots to maximise the delivery of homes. Bridges B2 and B4 will span the brooks and provide an east-west connection whilst retaining the industrial heritages of the confluence point of the brooks where a viewing point will be provided as part of Phase 2. The Lea Navigation Bridge (B1) will extend this connection further to the east, providing resilience of access for emergency vehicles and buses and will connect Phase 2 with the SIL, the green space to the east and the wider LVRP. The width of the Central Spine Road has been designed to accommodate buses, pedestrians, cycle facilities and landscaping appropriate on the scale proposed by the Scheme and to encourage use of sustainable modes of transport.
- (c) Meridian Water currently has poor permeability for vehicles, pedestrians and cyclists due to severance caused by existing water courses and a high proportion of goods vehicles on local industrial estate roads and heavy traffic flows on the North Circular (A406) to the north of the site. The Central Spine Road is intended to address this.
- (d) Dedicated, segregated two-way cycle tracks will be provided along the Central Spine Road to form direct routes across the Meridian Water area, linking the proposed development with public transport nodes as well as existing strategic cycle routes to the east to overcome the current lack of permeability for active modes.
- (e) In addition, the SIW will enable a comprehensive package of sustainable transport benefits for new residents to be delivered. This will include travel plans and pedestrian environment enhancements to improve accessibility in and around Meridian Water and the wider lower Edmonton area, better connecting Edmonton Leaside to the rest of the borough.

- (f) The Central Spine Road will connect with north-south pedestrian and cycle links through Phase 2 in order to increase permeability by walking and cycling and to meet London Borough of Enfield and TfL's Healthy Streets' objectives.
- (g) The proposed alignment of the Central Spine Road will enable efficient bus routing through the Meridian Water area and bus-rail interchange at Meridian Water Station. It will also be able to accommodate further enhancements to the bus network to serve Phase 2 and future phases of development as envisaged within the Bus Strategy appended to the Phase 2 and SIW Transport Assessment.
- (h) The Central Spine Road will minimise walk distances to bus stops and allows for the efficient siting of bus stops and maximises bus stop catchments within Meridian Water. Comfortable walk distances and proposed high quality pedestrian environments will help to make bus use more attractive and help support the Council's proposed lower car parking standards across Phase 2 and the wider Scheme.
- (i) The alignment of the Central Spine Road will improve public transport accessibility (**PTAL**) which will facilitate higher density development in Phase 2 than would otherwise have been appropriate.
- (j) The Central Spine Road will provide an additional point of access into Phase 2 and the wider Scheme. This will provide greater resilience of access for emergency vehicles and buses. It will also balance access for private vehicles to facilitate route choice, thereby increasing the performance resilience of access junctions onto Meridian Way.
- (k) The Central Spine Road will connect the new residential development to employment uses including the SIL, Harbet Road Business Parks and meanwhile uses in accordance with Mayor's Transport Strategy (2018) Proposal 91 which states that *"The Mayor, through TfL and the boroughs, will explore the role for demand responsive bus services to enable Good Growth, particularly in otherwise difficult-to-serve areas of outer London"*.
- (l) Due to the phasing of the Scheme, the Central Spine Road has been designed to maintain access to existing occupiers. This will involve new access arrangements for IKEA, for the Arriva bus depot and for other industrial uses between Harbet Road and the River Lee Navigation.
- (m) The Tesco Extra and IKEA sites currently form a barrier to movement between Glover Drive and Phase 2 (and potential development in future phases), which would be addressed by the Central Spine Road.

3.22.2 **Leeside Link Road (R4).** This link will include the erection of a new bridge (to be known as the Pymmes Brook South Bridge(B5)) and associated works to span Pymmes Brook. The proposed Leeside Link Road can be delivered without the need to acquire land but it will be necessary to acquire rights for the new bridge over Pymmes Brook from the Environment Agency (**EA**). It is important to understand the purpose and orientation of the Leeside Link Road

to provide context for the need for the Central Spine Road. Further information is provided in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application. The need for the Leaside Link Road is summarised as follows:

- (a) The Leaside Link Road will connect with the Central Spine Road to provide an attractive walking and cycling route to Meridian Water rail station for the plots of land in the southern part of Phase 2. A new bridge (B5) will provide connectivity from Leaside Road into the centre of Meridian Water. This is a natural extension of the existing road network and will turn Leaside Road from an industrial dead-end road into an urban, street suitable for all modes of transport and thereby increase permeability of Meridian Water to the south and west.
- (b) There is an existing bridge in the location of the proposed crossing of the Pymmes Brook South Bridge (B5) but having regard to its age and condition it is not suitable for use as part of the Leaside Link Road.
- (c) The proposed width of the Leaside Link Road will be sufficient to accommodate walking and cycling facilities, infrastructure for buses and private vehicles and landscaping appropriate for a development of the scale proposed in Phase 2.
- (d) The proposed alignment of the Leaside Link Road will provide direct access to Leaside Road from Phase 2 and forms an appropriate bridged crossing of Pymmes Brook to connect with Leaside Road. The proposed alignment also maintains sufficient land within the gasholder site (part of Zone 2) to deliver viable new housing. The bridge will be on Council owned land and will not affect Tottenham Marshes which is an important public open space owned by the Lee Valley Regional Park Authority.
- (e) The Leaside Link Road will connect with the shared pedestrian and cycle route along the north side of Leaside Road which provides access to developments south of Leaside Road and west of Meridian Way. Without this link pedestrians and cyclists would need to use Glover Drive and route along Meridian Way which is a busy road (c. 3500veh/hr two-way in peak periods) and a less suitable cycling and walking environment.
- (f) The Leaside Link Road increases the permeability of Phase 2 and wider Meridian Water for pedestrians and cyclists.
- (g) The Leaside Link Road provides for efficient bus routing through Phase 2 and Meridian Water and allows for greater flexibility for route options. It would also allow additional bus services to be diverted in the future as envisaged within the Bus Strategy appended to the Phase 2 and SIW Transport Assessment.
- (h) The Leaside Link Road allows for the efficient siting of bus stops, maximising bus stop catchments within Phase 2 and thereby minimising walk distances to bus stops. Comfortable walk distances and proposed

high quality pedestrian environments will help to make bus use more attractive and help support lower car parking levels across Phase 2 and the wider Scheme.

- (i) The Leaside Link Road is important for improving the public transport accessibility of the southern part of Phase 2 and ensuring that non-car modes of travel are attractive throughout Meridian Water. Without the Leaside Link Road there is a risk that the diversion of bus services along the Central Spine Road would not be possible. If this were the case then the southern part of Meridian Water would need to be served by the existing northern access, or by new links delivered by the SIW. This would result in a greater travel distance to Meridian Water Station from the southern part of the site with an associated reduction in public transport accessibility, and less efficient routing options for buses.
- (j) Allowing for vehicular movements along the Leaside Link Road into Phase 2 and the wider Scheme will provide an additional point of access. This will provide greater resilience of access for emergency vehicles and buses. It will also balance access for private vehicles to facilitate route choice, thereby increasing the performance resilience of junctions with Meridian Way. The existing Meridian Way junction at Glover Drive does currently operate at or close to capacity and the additional vehicular access at the Leaside Link Road will help to balance traffic flows between the access junctions, utilising what capacity is available for the future.
- (k) The Leaside Link Road will provide direct access to some retail and residential cores along its length and for buildings fronting the Central Spine Road.

3.22.3 **Brooks Park and River 'Naturalisation'** – naturalising Pymmes Brook to introduce an ecological river landscape, as well as providing riverside parkland (shown as F2).

- (a) Pymmes Brook is currently a concrete channel. The proposed works will involve naturalisation (works to river structures to improve the natural habitat) and storm water reduction capacity (S2). These works are essential as the EA has identified the need for naturalisation of the Pymmes Brook as part of the Water Flood Directive objectives. Consultation has been held with the EA to discuss various options for naturalisation and identify the preferred solution, which is explained in more detail the Flood Risk Assessment submitted as part of the Phase 2 planning application.
- (b) With regard to the northern branch of the Pymmes Brook, it is proposed to undertake flood alleviation works to the wall to allow passage of flood water from within Zone 5 (F1).
- (c) Flood water that emanates from the Pymmes Brook will be stored within the naturalisation area along the western bank of the Pymmes Brook.

3.22.4 **Edmonton Marshes and Flood Alleviation Works** – re-levelling and remediation of land to the east of Harbet Road, providing comprehensive flood alleviation works and a new high quality public open space within the LVRP (shown as E1, ER1, and F5). This is explained in detail in the Flood Risk Assessment submitted as part of the Phase planning application. In summary:

- (a) Two principal sources of flood risk must be managed to facilitate the development of Meridian Water: (i) fluvial flooding from the Pymmes Brook, Salmons Brook, Lee Navigation Canal and Lee Flood Relief Channel; and (ii) surface water flooding from on-site rainfall.
- (b) The EA require that for all vulnerable developments (which means the majority of the buildings at Meridian Water) the ground floor levels must be raised. It is necessary to provide compensatory flood storage to offset the volume that is lost within the building plots.
- (c) The LVRP area is the most suitable area for providing the required compensatory storage. The proximity of this area to the development Zones from which the flood water will be displaced will ensure the technical feasibility of the proposed solution. The existing uses of the land required will not be affected. The use of the land for flood alleviation will not detrimentally impact the proposed development of a new country park on this land.
- (d) The proposed works comprise the excavation to provide the necessary flood compensation and also to generate material for reuse for infilling during construction elsewhere within Meridian Water. The excavated formation level has been determined on the assumption that it will be necessary to have sufficient topsoil to accommodate a layer of planting. The earthworks proposed to be undertaken in LVRP involve the lowering of ground levels to create of the compensatory flood storage required to allow development in Phase 2, as well as future development in Zones 6 and 7. The management, storage and treatment of excavated material from ER1 will occur throughout the period of earthworks.

3.22.5 **Access Works** – works to provide new and altered accesses to the IKEA store (TPA2), a new north-south link between Argon Road and Glover Drive (J5), the creation of a link between the Central Spine Road and Anthony Way (TPA1) and other improvements to maintain access, along with other ancillary highway works to Glover Drive, Leaside Road and Meridian Way. Information on these works is set out in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application. The case for the Access Works is summarised as follows:

- (a) The Central Spine Road has been designed to accommodate the needs of IKEA and Tesco. The access designs have been developed to maintain access, retain store visibility and quality of the customer journey, and the continuation of servicing and delivery arrangements for adjacent occupiers.

- (b) The existing IKEA and Tesco stores and the Tesco petrol filling station are accessed from Argon Road, Glover Drive and a network of private internal roads. To the east of the Lee Navigation, there are industrial uses, including the Arriva Bus Depot, which are accessed from private roads off Harbet Road.
- (c) The proposed Central Spine Road will provide a connection between Glover Drive and Harbet Road. The connection at Glover Drive will affect access to the existing IKEA store and their northern surface level car park and internal access road. There will be minimal impact on Tesco's access routes as a result of the Central Spine Road.
- (d) The Central Spine Road will provide alternative access points into the IKEA store at Leaside Road, Meridian Water and Glover Drive. This will minimise the IKEA customer and servicing circulation route (and the subsequent diversion route as the result of the Central Spine Road) from the local highway network into the store. It will also help to reduce traffic within the vicinity of the Central Spine Road, in keeping with the aspiration to deliver Healthy Streets.
- (e) A new north-south link road will be provided incorporating part of the existing Tesco southbound exit carriageway and part of IKEA's northern car park. This new two-way road will provide a dual purpose of retaining southbound access from Argon Road to Glover Drive but also allow exiting IKEA vehicular traffic a route to the north. As a result of the introduction of this route, a number of changes are required to the existing arrangements along the new route as described in the Transport Assessment.
- (f) Where the Central Spine Road will cross the Lee Navigation the closure of Towpath Road to vehicle traffic permanently will be necessary due to bridge landing requirements.
- (g) Most of the existing industrial uses in the SIL can be accessed directly from Harbet Road using private roads. However, access to the Arriva Bus Depot and to some other occupiers may be affected during construction. To maintain bus operations and ensure business access is not affected the SIW includes new access arrangements to the Arriva Bus Depot. A swept path analysis has been undertaken to ensure that these are suitable for goods vehicles, buses and buses being towed by a recovery vehicle. The layouts have been issued to Arriva and discussed in meetings and comments have been incorporated into the design.
- (h) Since Anthony Way will be the new route for buses, a number of improvements to this road are proposed. These will include the re-provision of formal parking spaces, widening of the road to allow two-way bus movements and the introduction of a new pedestrian footway on one side of the road where space allows. This will provide an improved pedestrian and vehicular access route to existing industrial

occupiers along Anthony Way and an alternative access to the Arriva Bus Depot.

3.22.6 **Earthworks, Remediation, Utilities and other ancillary works** – earthworks, retaining structures and remediation within Phase 2, installation of main utility networks and ancillary works including the demolition of existing buildings and structures (shown as E5, E6, ER5 and ER6).

(a) Earthworks and Remediation north and south of Central Spine Road are proposed to raise development levels above the flood levels in Phase 2. The earthworks are essential to allow ground levels to be raised to provide mitigation against flood risk and enable development (see above). These earthworks also aid the surface water drainage.

(b) These works will be carried out principally within land owned by the Council, although they will require relocation of a gas governor owned by Cadent Gas.

3.22.7 **Rail enhancement works.** An additional track is proposed to serve the Meridian Water Station to provide a more frequent service. Although this is part of the SIW, it is not necessary to acquire land for this purpose.

3.23 A planning application for SIW was submitted on 31 July 2019 and is currently awaiting determination. It is anticipated that planning permission will be granted in early 2020.

4 **Planning Policy relevant to the Scheme**

4.1 The Council's adopted and emerging planning policy is supportive of both the SIW and the wider Scheme, which is also consistent with regional and national policies.

4.2 **The Enfield Plan: Core Strategy 2010-20 (the Core Strategy)**

4.3 The Core Strategy was adopted by the Council on 10 November 2010 and is part of the Council's development plan. It sets out the spatial planning framework for the long term development of the borough for the next 15-20 years. Core Policy 2 states that the Council will plan to meet the housing growth targets as set out in the London Plan for the fifteen year period from 2010/11 to 2024/25 and will plan for the provision of approximately 11,000 new homes.

4.4 The Meridian Water area corresponds with the Place Shaping Priority Area Meridian Water as designated in The Core Strategy. Core Policies 37 and 38 deal specifically with Meridian Water. Policy 37 states:

“At Meridian Water... ..the potential of a new sustainable urban mixed use community has been identified to play an important role in the delivery of planning and regeneration objectives, bringing forward in the region of 5,000 new homes and 1,500 new jobs.”

4.5 Policy 38 states:

“Based on the evidence of initial growth scenarios in the Meridian Water Place Shaping Priority Area, the objectives of new development will be to create a

new community by 2026 with up to 5,000 new homes, 1,500 new jobs and all the necessary infrastructure to support the community and attract families and new employers to the area."

- 4.6 Core Policy 38 also supports infrastructure improvements at Meridian Water including specific mention of the Central Spine Road stating the following aims:

"A new spine running through the area, connecting all parts of Meridian Water, linking new and existing communities, the station and the Lee Valley Regional Park;

Improved connectivity, both north-south and east-west;"

- 4.7 There are justifications and explanations of these policies in paragraphs 9.9 to 9.11 of the Core Strategy.

- 4.8 The Core Strategy also supports the Council acquiring land to control new development and use of CPO powers in appropriate circumstances:

"Where opportunities arise, the Council will consider the acquisition of new sites in order to secure community benefit or control new development, which in some cases may provide an opportunity to generate revenue from its landholdings, which it can reinvest into the community." (paragraph 10.18)

"Where the Council does not own the land and it appears that development identified in the Core Strategy is not coming forward in a timely manner, the Council will use its compulsory purchase powers to allow development to progress." (paragraph 10.19)

- 4.9 Although this is currently the Council's only adopted statutory development plan policy that specifies housing and development targets at Meridian Water, planning policy and framework agreements produced since 2010 (which do not yet form part of the Development Plan) take account of the growth in population in the borough as well as pressure on housing demand generally in London, and therefore have considerably higher targets than the Development Plan for housing units and job creation at Meridian Water.

- 4.10 The Council is preparing a new Local Plan which will incorporate updates to the Meridian Water proposals. A draft of the Local Plan has been consulted on, with the proposed submission stage expected in early-2020. The Core Strategy will remain in force as the Local Plan is prepared, although the Local Plan will assume greater weight in decision making as it progresses, and on its adoption will supersede the Core Strategy.

4.11 **Area Planning Policy – Edmonton Leaside Area Action Plan**

- 4.12 The Edmonton Leaside Area Action Plan (**ELAAP**) was first produced in November 2013 and revised in to its submission version in January 2017. It was approved by full Council in on 17 January 2017 as a draft for submission to the Secretary of State. The primary purpose of the ELAAP is to articulate in greater detail how the Core Strategy and relevant Development Management Document policies will be implemented, and to provide a more detailed policy framework to guide new development in the area.

4.13 The ELAAP went to public consultation between 15 March 2017 and 27 April 2017 and received 22 representations. The ELAAP was submitted to the Secretary of State, and subject to an examination in public in October 2018 before an Inspector appointed by the Secretary of State. Following the examination, the Inspector raised a number of queries which required further evidence and resulted in modifications in respect of Meridian Water as follows:

4.13.1 removal of any de-designation of strategic industrial land (**SIL**);

4.13.2 adjustment of the housing and employment targets;

4.13.3 affordable Housing provision; and

4.13.4 flood risk.

4.14 The Council provided further information in the form of modifications to the Inspector and the Inspector's Report was published in August 2019. The report requires a number of main modifications to be made to the ELAAP in order for it to be adopted. Consultation on the main modifications took place between [] and [] 2019 and following assessment of the responses to that consultation, adoption of the ELAAP is anticipated for [] 2020. The Council consider the

4.15 Given the advanced stage of development of the ELAAP and the fact that concerns of the Inspector have been substantively addressed, the Council places significant weight on it in accordance with paragraphs 48 to 50 of the NPPF.

4.16 The modified ELAAP provides a policy basis supported by evidence modelling, to achieve the Core Strategy aim of 5,000 homes and 1,500 jobs at Meridian Water. Chapter 5 of the ELAAP deals specifically with Meridian Water. The Scheme is consistent with the principal aim of Chapter 5 of the ELAAP in bringing forward the regeneration of Meridian Water but the SIW is also specifically supported by Policy EL6 which discusses the Central Spine and states that the Council's aims to "*work with its partners and stakeholders to implement the Central Spine and maximise connectivity across Meridian Water*". The ELAAP makes clear how the Central Spine is fundamental to the development proposals for Meridian Water. It requires that development proposals that include part of the Central Spine Road must amongst other things:

Support the delivery of a continuous link route across Meridian Water and beyond and Prioritise the route as the primary route for orientation, navigation and connectivity at Meridian Water;

Demonstrate how resident and employee access to supporting uses is maximised, including retail, health centres, open space and schools;

Demonstrate how the Causeway [now Central Spine Road] route will act as the trunk route for servicing and subterranean infrastructure, including details of how the routes will positively and proactively connect to the Causeway route and servicing on adjacent sites;

4.17 The ELAAP defines a safeguarded corridor for the route of the Central Spine Road.

4.18 Chapter 14 of the submission draft of the ELAAP provides policy support for the Council's approach to land assembly at Meridian Water. Specific recognition is given to the importance of a comprehensive regeneration and the use of CPO powers to enable effective delivery of the development. It also highlights at paragraph 14.2.6. the importance of infrastructure where it states:

"To deliver the infrastructure needed to develop Meridian Water in an effective and timely way, greater control over land and delivery is required. This relates particularly to delivery of the Central Spine as the key linking element".

4.19 **Meridian Water Masterplan**

4.20 The Meridian Water Masterplan was adopted by the Council as Planning and Urban Design Guidance on 17 July 2013 and is a material consideration in the determination of all planning applications in this area. The specific scope of the development set out in the Masterplan is no longer what will be developed, since this has been overtaken by a number of changes referred to above which it is intended will be addressed in the revisions to the ELAAP. In particular the Council has revised its approach to land acquisition and ambitions for Meridian Water. However, certain principles and aspirations set out in the Masterplan (for example quality of design, strengthening communities and economic growth) are still applicable and therefore relevant to the Order justification.

4.21 In relation to supporting the SIW generally the Masterplan states:

"A new central east-west Causeway [now Central Spine Road] enables controlled vehicular movement across the area. A network of new streets, a remodelled underpass and new bridges will connect neighbourhoods. Whilst private cars continue to be important, they will not dominate. Sustainable modes of travel will be supported, including car clubs, electric vehicles and cycle parking." (Guiding Principles No.4)

"Taking advantage of the local surrounding road network, there is opportunity to create new road links that create connections between existing and new communities and facilitate new bus routes.....A network of walking and cycling routes would further improve connections with surrounding neighbourhoods. Safe, useable routes connecting homes and facilities will help to strengthen a strong sense of community and encourage the movement of people into, through and around Meridian Water." (Para 2.3.7).

4.22 Masterplan (Para 3.1.1) discusses the Central Spine Road (referred to then as the Causeway):

"A grand civic Causeway forms the backbone of Meridian Water, sweeping across the site from west to east. It is the core masterplan arrangement around which the rest of the masterplan is both structured and delivered. It is the central feature running through the heart of the scheme.

As it moves through the site, the Causeway becomes a vibrant community focus that is animated by a series of squares and public spaces at key points along its length. From the central square, the Causeway frames views down towards the waterfront, reasserting its centrality to the vision.

A new integrated transport hub, a landmark bridge and a refashioned high street form key features of this central element of the masterplan."

- 4.23 Section 4 of the Masterplan provides specific detail on the Central Spine Road, and justification for it. Section 6.2 (Movement) provides detail on how pedestrian, vehicular and public transport connectivity around the site will be developed. Chapter 7 of the Delivery section discusses the need for critical infrastructure to be delivered to enable development zones to come forward. Paragraphs 7.2.1 to 7.2.3 provide specific Development Guidance on the Central Spine Road.
- 4.24 On the use of CPO powers, paragraph 7.1.2 states the Council will *"engage in compulsory purchase and direct delivery of development, for example, bring forward development within defined timescales or to undertake demonstration projects"*.
- 4.25 The Masterplan therefore provides some strong justification for the SIW as well as supporting the principle of the Scheme. However, on adoption of the ELAAP, the Masterplan will be superseded.
- 4.26 **Meridian Water: Investing in Enfield's Future**
- 4.27 The Meridian Water Regeneration Framework, titled "Investing in Enfield's Future" was endorsed by the Council's Cabinet on 10 February 2016 and forms the interim strategic approach to achieving sustainable development and long term growth for Meridian Water and taking the wards of Upper Edmonton and Edmonton Green out of the bottom 10% most deprived wards in England.
- 4.28 The Framework sets out the aims and aspirations for the future development of Meridian Water over a 40 year timespan. The Action Plan, appended to the Framework, serves as a matrix to help measure performance of the development against six themes or "action areas" ranging from lifestyle to sustainable infrastructure and energy.
- 4.29 **The London Plan**
- 4.30 The Mayor of London's revised London Plan was formally adopted in March 2016 and was updated in January 2017. It provides a strategic spatial strategy within Greater London and forms part of the Council's development plan. The Plan sets out a number of objectives to: optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change; and secure a more attractive, well designed green city.
- 4.31 The adopted Plan Policy 3.3 identifies the need to provide an annual average of 42,000 additional homes across the capital each year. Paragraph 3.16b entitled 'London's housing requirements' states that "the central projection in the Strategic Housing Market Assessment indicates that London will require between approximately 49,000 (2015-2036) and 62,000 (2015-2026) more homes a year." A significant number of new homes are needed in Enfield over the coming years and decades in order to meet existing and future housing need. The minimum delivery target set for Enfield by the London Plan is 798 per annum, with Meridian Water playing a key role in contributing to this.
- 4.32 The emerging draft New London Plan looks set increase housing delivery targets to 66,000 per annum. A significant number of homes are needed in Enfield over the coming

years in order to meet current and future need. The Council's average housing delivery target under the draft New London Plan is 1,876 homes per annum

4.33 Policy 2.13 of the adopted London Plan refers to “opportunity areas” that have been identified on the basis that they are capable of accommodating substantial numbers of new homes and employment and seek to ensure the area’s potential is optimised. The Upper Lee Valley (in which Meridian Water is situated) is identified in London Plan Policy 2.13, supported by London Plan Annex One, as an opportunity area.

4.34 In October 2015, the GLA designated Meridian Water one of twenty new Housing Zones in London, unlocking funding for key infrastructure and enabling works, including the station, remediation and a Central Spine.

4.35 **Upper Lee Valley Opportunity Area Planning Framework**

4.36 The Upper Lee Valley Opportunity Area Planning Framework (adopted July 2013) covers circa 3,900 hectares shared between the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney. The headline objectives for the Upper Lee Valley include:

4.36.1 Over 15,000 new jobs by 2031

4.36.2 Over 20,100 new well designed homes by 2031

4.37 Meridian Water, roughly in the centre of the Opportunity Area and at the junction of three London Boroughs, is identified as a Growth Area. Chapter 7.2 specifies the following principles for Meridian Water:

4.37.1 Realising the scale of opportunity and the opportunity of scale;

4.37.2 Delivering 5,000 new homes; and

4.37.3 Facilitating economic growth: delivering at least 3,000 new jobs of varied types.

4.38 The Scheme helps deliver on the potential of this regional strategic opportunity area.

4.39 **National Planning Policy Framework**

4.40 The National Planning Policy Framework (**NPPF**) (February 2019) sets out the Government’s policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental and that planning authorities should seek opportunities to achieve the promotion of these dimensions. The NPPF encourages the use of sustainable and non-car modes of travel. The Council's proposals for Meridian Water are in accordance with the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of brownfield land in order to create sustainable development in line with economic, social and environmental objectives to improve people’s quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link

between land use and transport are all in line with the NPPF aim of sustainable development.

4.41 **Mayor's Transport Strategy (Greater London Authority, 2018)**

4.42 The Mayor's Transport Strategy (MTS) details measures to allow Londoners to reduce their dependence on cars by providing viable and attractive alternatives.

4.43 Chapter 4, "A good public transport experience", of the MTS states that "buses play a unique role in the life of London – they are the most accessible form of public transport, and they provide the widest and densest network of travel options for distances that are too long to walk or cycle" (page 155, paragraph 1).

4.44 Policy 15 of the MTS directly concerns the provision of bus services: "the Mayor, through TfL and the boroughs, and working with stakeholders, will transform the quality of bus services so that they offer faster, more reliable, accessible, comfortable and convenient travel by public transport, while being integrated with, and complementing, the rail and Tube networks" (page 155, Policy 15).

4.45 The MTS also states that "new types of services, including high-quality bus transit, can unlock new areas for development" (page 235, paragraph 2). The MTS asserts several proposals to achieve this aim which include:

4.45.1 Proposal 90: "The Mayor, through TfL and working with the boroughs, will complement major transport infrastructure investment with improvements to local bus services, bus priority and bus infrastructure in order to enable high-density development over a larger area and thus spread the benefits of the infrastructure investment further";

4.45.2 Proposal 91: "The Mayor, through TfL and the boroughs, will pilot bus transit networks in outer London Opportunity Areas with the aim of bringing forward development, either ahead of rail investment or to support growth in places without planned rail access. Consideration will be given to pilots at locations including Bexley/Greenwich, Enfield, Havering and Hounslow".

4.46 The transport strategy of the Scheme, which is facilitated by the SIW, allows conformity with the MTS.

4.47 **Healthy Streets for London (Transport for London, 2017)**

4.48 Healthy Streets for London (Transport for London, 2017) is TfL's adopted framework for the development of policies and strategies to help Londoners use cars less and walk, cycle and use public transport more. This was the framework used when the Mayor's Transport Strategy (2018) was being created. Healthy Streets has been incorporated into design of the SIW.

4.49 **Guidelines for Planning Bus Services (Transport for London, 2012)**

4.50 To help achieve the goals of the Mayor's Transport Strategy TfL produced Guidelines for Planning Bus Services (Transport for London, 2012).

- 4.51 The document states the following objective: “a comprehensive network should be provided ensuring that people have access to their local amenities such as shops, hospitals, schools and transport interchanges” (page 7, section 33). To achieve this objective, several guidelines have been outlined:
- 4.51.1 “In residential areas, it is desirable for the bus network to run within about five minutes walk of homes, if this is cost-effective and if roads are suitable. This is about 400 metres at the average walking speed.
 - 4.51.2 The 400 metre guideline will be used alongside other indicators of accessibility to the network. These may for example be demographic, such as low car ownership, or physical, such as steep hills, parkland or severance due to main roads.
 - 4.51.3 In town centres, passengers should be taken close to the places they want to reach - shopping centres, rail stations, etc. At the same time, however, complicated or indirect service routeings should be avoided.
 - 4.51.4 Effective interchange is essential to achieving a comprehensive network, as there will not be a direct bus link for every journey. Interchange opportunities will be taken into account in service design. In particular, good interchange facilities in town centres are important given that town centres form the hubs of the bus network”.
- 4.52 The Central Spine Road and Leaside Link Road are key to meeting the guidelines on bus services as described in detail in section 4.

5 **The Council’s Power to Acquire Land Compulsorily**

- 5.1 Section 226(1)(a) of the 1990 Act enables the Council to acquire land compulsorily in order to facilitate the carrying out of development, redevelopment or improvement on or in relation to land in its area. Section 226(1)(a) is subject to sub-section (1A) which provides that the Council must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic and/or social and/or environmental well-being of its area.
- 5.2 Section 226(3)(a) enables the Council to acquire any land adjacent to land falling within sub-section (1) which is required for the purpose of executing works for facilitating the development or use of land within the Council’s area.
- 5.3 Acquisition of the Order Land is necessary in order to implement the SIW. The SIW will make a significant contribution to the environmental, social and economic well-being of the lower Edmonton area, as well as the borough generally, meeting the object of Section 226 (1A) of the 1990 Act.
- 5.4 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to acquire any such new rights over the land as are specified in the Order. New rights are required for the delivery of the SIW and their subsequent maintenance.
- 5.5 Paragraph 95 to Section 1 of the Guidance explains that the Section 226 powers in the 1990 Act are intended to provide a positive tool to help acquiring authorities with planning

powers assemble land where this is necessary to implement proposals in their Local Plan. In this case of the Scheme and the SIW the relevant Local Plan is the Core Strategy and once adopted, the ELAAP.

5.6 The Guidance provides recommendations to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of this Guidance in making this Order.

5.7 The Council has been successful in acquiring a substantial part of the Order Land by agreement (as well as other land forming part of the Scheme). However it will not be practicable to agree terms for the acquisition of all of the remaining interests in the Order Land within a reasonable timeframe.

5.8 Having regard to the nature of the proposals and the advice set out in the Guidance, the Council is satisfied that the use of its compulsory purchase powers under Section 226(1)(a) and Section 226(3)(a) of the 1990 Act is justified in order to achieve its objectives.

6 **Justification for the use of Compulsory Purchase Powers**

6.1 The need for the SIW is explained at section 3 above.

6.2 The development of the SIW will contribute to the achievement of the objects specified in Section 226(1A) of the 1990 Act as explained in section 5 above.

6.3 The proposals for SIW comply with existing and emerging local planning policy, the London Plan and the NPPF, as explained in section 4 above. Procurement for a development partner for part of Phase 2, the former gasholder site (part of Zone 2) has commenced. To deliver further development within Phase 2 and later the Council will embark in a similar robust exercise to select preferred delivery method (discussed further below). The Council does not consider that the purpose of the Order could be achieved more effectively by any alternative means.

6.4 Paragraph 106 of the Guidance identified four factors of particular relevance to CPOs under section 226 of the 1990 Act which will be taken into account by the Secretary of State when deciding if the powers should be confirmed. Each of these is considered below.

6.5 **Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area**

6.6 The proposed Order is to enable the SIW to be constructed in connections with the regeneration of Meridian Water in accordance with the planning framework described in section 4 of this Statement.

6.7 The Council is therefore satisfied that the Scheme is in accordance with the strategic objectives of the adopted planning framework.

6.8 **Contribution to the social, economic and environmental well-being of the area**

6.9 The SIW will contribute to the *economic well-being* of the Council's area by facilitating regeneration of Meridian Water. The main economic benefits will be:

- 6.9.1 a Scheme value of c.£6bn;
 - 6.9.2 the creation of approximately 1,500 permanent jobs and thousands of jobs during construction with opportunities for apprenticeships for local people;
 - 6.9.3 increased economic activity by reason of increased employment and expenditure during construction phase of the Scheme; and
 - 6.9.4 increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses.
- 6.10 Promotion or improvement of *social well-being* will be achieved by:
- 6.10.1 provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future;
 - 6.10.2 provision of up to 5,000 new homes with the potential for a further 5,000;
 - 6.10.3 the provision of c. 45% affordable housing on a habitable rooms basis;
 - 6.10.4 shaping the new neighbourhood and giving it a distinct new character with high quality design led approach to planning applications guided by the ELAAP with a focus on open spaces and waterside living; and
 - 6.10.5 improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.
- 6.11 Promotion or improvement of *environmental well-being* will occur through enhancement of the townscape through the replacement of outdated buildings with a contemporary and well-designed residential development. The public realm will be improved and heritage assets appropriately and respectfully treated within the Scheme. The main environmental benefits are:
- 6.11.1 redevelopment of a brownfield site;
 - 6.11.2 increased housing density appropriate to the increased and sustainable transport connectivity of the area due to the Meridian Water station, increased train service, increased bus capacity through the Central Spine consistent with the London Plan (adopted and emerging) and NPPF targets for optimising density;
 - 6.11.3 creating new employment opportunities close to people's homes;
 - 6.11.4 provision of efficient layouts and high quality public open space, community and recreational facilities.
- 6.12 For the above reasons, the well-being tests set out in Section 226(1A) are fully satisfied in respect of the CPO as made and submitted for confirmation.

6.13 **Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.**

6.14 The SIW facilitates the regeneration of Meridian Water. That regeneration faces a number of major obstacles; most pertinent is delivering infrastructure necessary to enable development of large mix used schemes. The Council has undertaken a comprehensive investigation of the options for the SIW necessary for Meridian Water and it has determined the design of the SIW proposed is the only viable means to achieve the planning policy objectives. The need for each element of the SIW is explained in section 3, which demonstrates both the overall need for the infrastructure and specific reason for scale and location of the infrastructure proposed.

6.15 **Potential viability of the Scheme and general indication of funding intentions**

6.16 The compensation payable as a result of the Order will be met by the Council from its general fund. The Council having considered advice about the estimated liability for the compensation, is satisfied it has the resources to pay all compensation arising out of the Order.

6.17 With regard to the costs of constructing the works the Council has secured [£11m] of GLA granting funding and £156m HIF funding (of which £116m is allocated to the SIW subject to this Order, with the remaining £40m allocated to the rail enhancement works). Having taken independent advice, the Council is satisfied it has sufficient funds available for the construction of the SIW.

6.18 The Council will itself arrange for construction of the SIW and is in the process of procuring contractors for this work.

7 **Efforts to Acquire by Agreement**

7.1 The Council owns the land required for the Phase 2 development having acquired it by private treaty agreement. The Council has also acquired other land interests within the Meridian Water boundary which to date equates 35.5 hectares or 68% of the developable area within Meridian Water. The plan attached at Appendix 6 shows the extent of the Council's existing ownership at Meridian Water.

7.2 The Order Land is intended solely to enable the acquisition of land and rights required for the SIW. The Council and its land agents have been in negotiations to acquire these plots and offers have been made to each owner.

7.3 Genuine and sustained efforts have been made to acquire all the land and rights required for the SIW. In accordance with best practice, the Council will continue to endeavour to reach negotiated settlement and these efforts will continue after the Order is made in parallel with making the CPO.

7.4 In relation to plots included in the Order of which the owners cannot be traced, the Council's advisers have examined details held at the Land Registry and Land Charges Department concerning these plots, and the Council has posted site notices in close proximity to the plots in question to try and obtain further information using its powers under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and section 5A of the Acquisition of Land Act 1981. The Council considers it has made sufficient enquiries to identify any owners.

7.5 Given the number of interests identified in the Schedule to the Order, it is unlikely that the Council will be able to acquire all of them by agreement within a reasonable period. The use of compulsory purchase powers is therefore necessary.

8 **Other Considerations**

8.1 **Highway Land**

8.2 The canal towpath forms part of National Cycle Route 1 and is a Public Right of Way. Temporary diversions during construction will need to be implemented but the existing routes will be restored at the conclusion of the works.

8.3 An unused bellmouth located along Argon Road is public highway and this will be stopped up to allow remediation of the area. This will be subject to a stopping up application under section 247 of the 1990 Act.

8.4 **Utilities**

8.5 Plot [X] is owned by Thames Water who contend this area is 'operational land' being necessary to carry out its statutory functions in accordance with the Water Industry Act 1991. Plot [X] has underground water pipes used by Thames Water. The Council does not consider the existence of pipes under this land to be sufficient to mean that the land is necessary to carry out Thames Water's statutory functions. In any case the Council considers the land in the CPO can be purchased and not replaced without serious detriment to the carrying on of the statutory undertaking of Thames Water. The Council has designed the flood alleviation works (see section 3 above) so that the excavation and lowering of ground levels will be carried out avoiding Thames Water's underground pipes and apparatus. Access will be maintained to the underground pipes to allow Thames Water to maintain its apparatus during the flood alleviation works and earthworks and after the works are completed.

8.6 Plot [X] is owned by Cadent Gas Limited and includes a gas governor and substation it is proposed to relocate these as part of the Phase 2 planning permission to alternative locations within Meridian Water. Proposals for the relocation will be discussed with Cadent Gas Limited.

8.7 Plot [X] is owned by UK Power Networks and includes an electricity substation which is proposed to be relocated as part of the Phase 2 planning permission to an alternative location within Meridian Water. Proposals for the relocation will be discussed with UK Power Networks.

9 **Human Rights Considerations**

9.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the ECHR. Articles 6 and 8 and Article 1 of the First Protocol are potentially relevant to the compulsory purchase of land:-

9.1.1 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations.

9.1.2 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the

exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. Since the Order Land is not occupied, this Article is not engaged in this case

9.1.3 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and subject to the conditions provided for by law.

9.2 It is well settled that the compulsory purchase of land is not contrary to the ECHR if it is undertaken in the public interest and in accordance with the law and procedures laid down by statute. The requirements of the ECHR are reflected in paragraphs 12 and 13 of Guidance:

“12. A compulsory purchase order should only be made where there is a compelling case in the public interest.

An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention”.

“13. The minister confirming the order has to be able to take a balanced view between the intentions of the acquiring authority and the concerns of those with an interest in the land that it is proposing to acquire compulsorily and the wider public interest. The more comprehensive the justification which the acquiring authority can present, the stronger its case is likely to be.

However, the confirming minister will consider each case on its own merits and this guidance is not intended to imply that the confirming minister will require any particular degree of justification for any specific order. It is not essential to show that land is required immediately to secure the purpose for which it is to be acquired, but a confirming minister will need to understand, and the acquiring authority must be able to demonstrate, that there are sufficiently compelling reasons for the powers to be sought at this time.”

9.3 In making this Order, the Council considers that there is a compelling case in the public interest to enable the Council to acquire the Order Land.

9.4 No plots within the Order Land contain residential properties and only one business need to be relocated as a result of the Order or the SIW. The Council is in discussions with that business about possible options for reallocation.

9.5 Impacts on existing business will be mitigated by the Council. Measures to minimise detrimental impact upon access for IKEA, and the Arriva Bus depot are explained above in section 3. The Council has also engaged in a significant programme of dialogue with existing business to understand and appropriately mitigate any effects during construction.

9.6 The Council is of the view, therefore, that the need to acquire the Order Land in the public interest outweighs any detrimental impact upon persons having interest in any of the Order Land, and consequently that the Order is compatible with the ECHR.

10 **Public Sector Equality Duty**

10.1 The Council has had due regard to the considerations listed in section 149 of the Equality Act 2010 and has taken this into account in the assessment of the Order.

10.2 An Equalities Impact Assessment (**EQIA**) was prepared by the Strategic Planning team to support the ELAAP submission. The planning applications for Phase 1 and Phase 2 were each subject to an EQIA. The Phase 2 application currently pending consideration was accompanied by a socio-economic analysis as part of the Environmental Statement. No substantive negative impacts to person or groups with protected characteristics were identified.

10.3 Additional regard has been given to any potential impact of the Order upon groups with the protected characteristics outlined by the Equalities Act 2010 Section 149 and the provisions contained therein and EQIA has been undertaken in respect of the making and subsequent implementation of the Order. It is considered that due regard has been given to the impact of the SIW on all relevant groups with the protected characteristics schedule and that no equalities issues arise.

11 **Conclusion**

For the reasons set out in this statement, the Council considers that there is a compelling case in the public interest for the making and confirmation of the Order.

12 **Details of contacts at the Council**

12.1 All those owners and occupiers affected by the Order, who wish to speak to the Council's agents regarding the purchase of their interests are requested to contact:

Trowers and Hamlins LLP
3 Bunhill Row
London
EC1Y 8YZ
Tel: 0207 423 8372
Email: tbrown@trowers.com
Reference: JKB.54342.1.TPB

12.2 If any person affected by the Order wishes to discuss it with an officer of the Council, he/she is requested to contact:

Paul Gardner
Meridian Water Team
Silver Street
Enfield
EN1 3XA

13 **List of documents**

13.1 In the event that it becomes necessary to hold a public inquiry into the order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- The Order, Order Schedule and Order Map;

- Cabinet report and minutes of authorising the making of the Order;
- National Planning Policy Framework 2019;
- London Plan
- The draft New London Plan
- The Upper Lee Valley Opportunity Area Planning Framework
- The London Borough of Enfield Core Strategy
- Edmonton Leaside Area Action Plan
- Meridian Water Masterplan
- Meridian Water Regeneration Framework: Investing in Enfield's Future
- Report to Committee and Decision Notice and Section 106 Agreement relating to the Phase 1 planning permission (reference: 16/01197/RE3)
- Documents relating to the SIW and Phase 2 planning applications with respective references 19/02717/RE3 and 19/02718/RE3 in particular:
 - Flood Risk Assessment, Arup (August 2019); and
 - Transport Assessment, Arup (July 2019)

13.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

Civic Centre
 Silver Street
 Enfield
 EN1 3XA

Glossary

Definitions used in this Statement of Reasons

1976 Act: Local Government (Miscellaneous Provisions) Act 1976

1981 Act: Acquisition of Land Act 1981

1990 Act: Town & Country Planning Act 1990 (as amended)

EA: Environment Agency

ECHR: the European Convention on Human Rights

ELAAP: the Edmonton Leaside Area Action Plan

Guidance: Guidance on Compulsory Purchase and the Crichel Down Rules published in February 2018 by the Ministry of Housing Communities and Local Government (updated July 2019)

LBH: the London Borough of Haringey

LVRP: Lee Valley Regional Park

NPPF: the National Planning Policy Framework published 24 July 2018 and updated 19 June 2019

Order: the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2019

Order Land: the land included within the Order and is shown on the plan appended to this Statement at Appendix 1

Council: the London Borough of Enfield

Meridian Water: the area shown outlined red on the plan appended to this Statement at Appendix 2

Meridian Water Station: the Meridian Water railway station constructed as part of Phase 1

MHCLG: Ministry of Housing, Communities and Local Government

Scheme: the Council's proposals for regeneration of Meridian Water

Phase 1: the first development phase of the Scheme (forming part of Zone 1) for which planning permission was granted on 10 July 2017 under reference 16/01197/RE3 within the area shown outlined [] on the plan appended to this Statement at Appendix 3

Phase 2: the second development phase of the Scheme (comprising Zone 4 , 5 and part of Zone 2) for which a planning application has been made under reference: 19/02718/RE3 within the area shown outlined red on the plan appended to this Statement at Appendix 3 and the details of the redevelopment shown on the plan at Appendix 5

Secretary of State: the Secretary of State for Housing, Communities and Local Government

SIL: Strategic Industrial Land

SIW: the strategic infrastructure works subject to the Order required to enable delivery of the Scheme for which a planning application has been made under reference: 19/02718/RE3 shown on the plan appended to this Statement at Appendix 4

Zones: the development phases of the Scheme comprising Zones 1 to 8 shown on the plan appended to this Statement at Appendix 3

Appendix 1

Plan showing the extent of the Order Land

Appendix 2

Plan showing the extent of the Meridian Water Regeneration Area

Appendix 3

Plan showing the Meridian Water Development Zones

Appendix 4

Plan showing the Strategic Infrastructure Works

Appendix 5

Plan showing the Phase 2 Masterplan

Appendix 6

Plan showing Council land ownership within Meridian Water